

Gen 2754 AF\$

Docket No. JA9-96-088

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: T. Chikazawa et al.
Serial or Patent No: 09/049,861
Filed: March 27, 1998

Group No.: 2754
Examiner: D. Davis

For: DISK DRIVE DISK WITH LANDING ZONE HAVING TEXTURED AND UNTEXTURED REGIONS

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
JAN 14 2000
TC 2700 MAIL ROOM
111 appeal
1-1000
[Signature]

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed 10/08/99, finally rejecting claims 5-12.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

X other than a small entity.

A verified statement

_____ is attached.

_____ was already filed on _____.



2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e), the fee for filing the Notice of Appeal is:

X other than a small entity \$300.00

Notice of Appeal fee due \$300.00

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

X Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

[Signature]
Signature

Date: January 4, 2000.

Rosalind Kennison
Print Name

01/13/2000 SLUW61 00000129 090466 09049861
01 FC:119 300.00 CH

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of Section 1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(a) ___ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:



| Extension (months) | Fee for other than small entity |
|-----------------------|------------------------------------|
| ___ one month | \$110.00 |
| ___ two months | \$400.00 |
| ___ three months | \$950.00 |
| ___ four months | \$1510.00 |

Fee \$___

TC 2700 HALL ROOM

JAN 16 2000

RECEIVED

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

___ An extension for ___ months has already been secured. The fee paid therefor of \$___ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$___.

or

(b) X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

| | |
|------------------------|------------------|
| Notice of Appeal fee | \$ <u>300.00</u> |
| Extension fee (if any) | \$ _____ |

5. FEE PAYMENT

X Charge Account No. 09-0466 the sum of \$ 300.00

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

Note: If there is a fee deficiency and there is no authorization to charge an account, additional fees necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances when authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the notice of April 7, 1986, 1065 O.G. 31-33.

☐_X_ If any additional extension and/or fee is required, charge Account No. 09-0466.

AND/OR

☐_X_ If any additional fee for claims is required, charge Account No. 09-0466

Sincerely,





G. Marlin Knight
Attorney for Applicants
Reg. No. 33,409
IBM Corporation
Intellectual Property Law,
Dept. L2PA/014
5600 Cottle Rd.
San Jose, CA 95193
(408)256-7104

TC 2700 MAIL ROOM

JAN 14 2000

RECEIVED